

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY

Document  
Page 1 of 2



Order Filed on March 6, 2017  
by Clerk  
U.S. Bankruptcy Court  
District of New Jersey

**Caption in Compliance with D.N.J. LBR 9004-2(c)**

43361

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Attorney for Ally Servicing LLC, servicer for Ally  
Financial

In Re:

DARRYL B. MONTICELLO

Case No.: 16-25565

Adv. No.:

Hearing Date: 2-8-17

Judge: KCF

**ORDER FOR MONTHLY PAYMENTS AND STAY RELIEF UNDER CERTAIN  
CIRCUMSTANCES**

The relief set forth on the following pages, numbered two (2) is hereby **ORDERED**.

**DATED: March 6, 2017**

  
Honorable Kathryn C. Ferguson  
United States Bankruptcy Judge

**Darryl B. Monticello**

**16-25565(KCF)**

**Order Providing for Monthly Payments for Stay Relief under Certain Circumstances**

**Page 2**

This matter having been brought on before this Court on motion for stay relief and co-debtor stay relief filed by John R. Morton, Jr., Esq., attorney for Ally Servicing LLC, servicer for Ally Financial, with the appearance of Marc Capone, Esq. on behalf of the debtor, and this order having been filed with the Court and served upon the debtor and his attorney and the non-filing co-debtor, Kristine Monticello under the seven day rule with no objections having been received as to the form or entry of the order, and for good cause shown;

IT IS ORDERED:

1. That Ally Servicing LLC is the servicer for Ally Financial, the holder of a first purchase money security interest encumbering a 2012 Honda Odyssey bearing vehicle identification number 5FNRL5H68CB072171 (hereinafter the "vehicle").
2. The debtor shall make all retail installment contract payments to Ally Servicing LLC, servicer for Ally Financial when due, being the 8<sup>th</sup> day of each month. In the event the debtor fails to make any payment for a period of 30 days after it falls due, Ally Servicing LLC, servicer for Ally Financial shall receive stay relief as to the debtor and non-filing co-debtor, Kristine Monticello to repossess and sell the vehicle by filing a certification of nonpayment and serving it upon the debtor, his attorney and the non-filing co-debtor.
3. The debtor shall maintain insurance on the vehicle in accordance with the terms of the retail installment contract. In the event of a lapse of insurance for any period of time without intervening coverage, Ally Servicing LLC, servicer for Ally Financial shall receive stay relief as to the debtor and non-filing co-debtor, Kristine Monticello to repossess and sell the vehicle by filing a certification that insurance has lapsed with the court and serving it upon the debtor, his attorney and the non-filing co-debtor.
4. The debtor shall pay to Ally Servicing LLC, servicer for Ally Financial through the plan, a counsel fee of \$531 which shall be paid by the trustee as an administrative priority expense.